

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

EUGENE GILYARD, <i>et al</i>	:	CIVIL ACTION
	:	
v.	:	NO. 16-2986
	:	
DETECTIVE DENNIS DUSAK, <i>et al</i>	:	

ORDER

AND NOW, this 15th day of June 2018, upon considering Plaintiffs' Motion for reconsideration (ECF Doc. No. 151), Defendants' Response (ECF Doc. No. 154), Plaintiffs' Reply (ECF Doc. No. 155), Defendants' Sur-Reply (ECF Doc. No. 158), and for the reasons in the accompanying Memorandum, it is **ORDERED** Plaintiffs' Motion (ECF Doc. No. 151) is **GRANTED in part and DENIED in part**:

1. Plaintiffs' Motion is **granted** to proceed to trial solely on a Fourth Amendment malicious prosecution claim and Fourteenth Amendment fabrication of evidence claim against Defendants Dusak and Benham and a *Monell* claim against Defendant City of Philadelphia challenging the policy, training, and supervising of detectives' obligations to include exculpatory evidence in affidavits of probable cause;

2. Plaintiffs' Motion is otherwise **denied**; and,

3. The parties shall file supplemental suggested jury instructions and proposed verdict slip in accord with our accompanying Memorandum **on or before June 29, 2018**.



KEARNEY, J.